



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE 19 - 11  
BILL 21 (2019)

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**A BILL FOR AN ORDINANCE**

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ESTABLISHING A CITY DOMESTIC VIOLENCE PROGRAM.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to establish a program to address domestic violence cases.

SECTION 2. Chapter 41, Revised Ordinances of Honolulu 1990 ("Regulated Activities within the City"), is amended by adding a new article to be appropriately designated by the Revisor of Ordinances and to read as follows:

**"Article \_\_. Domestic Violence Program**

**Section 41-\_\_1 Domestic violence program.**

- (a) Legislative Findings and Declaration of Intent. The council finds that pursuant to an audit report published by the office of the city auditor entitled *Audit of How Domestic Violence Cases are Handled, Processed, and Resolved*, dated June 2017, Report No. 17-02, the handling, processing, and investigation of domestic violence cases by the office of the prosecuting attorney is inefficient and ineffective due in part to: i) a statutory classification of domestic abuse in the presence of a family or household member who is less than 14 years old as a felony, resulting in a significant increase in the number of domestic abuse cases; ii) the lack of common definitions, processes, procedures, and reports between the department of the prosecuting attorney and the Honolulu police department that could facilitate data sharing and streamline monitoring and processing of domestic violence cases; and iii) the absence of formal administrative processes, procedures, and policies in the department of the prosecuting attorney governing domestic violence cases and the department's reliance upon informal guidelines in the processing of domestic violence cases.
- (b) Establishment of a Domestic Violence Program. A domestic violence program is hereby established to effectuate the expeditious and efficient processing and investigation of domestic violence cases.

**Section 41-\_\_2 Domestic violence program policies.**

A domestic violence program policy is hereby established to require the:

- (1) Use of vertical prosecution whenever possible and to minimize personnel rotations for domestic violence cases.



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- (2) Evaluation, and as appropriate, suspension of operational policies, such as the "no drop" policy that may create artificial barriers to the effective and efficient investigation and prosecution of domestic violence cases.
- (3) Establishment of shared access to data and information systems between city agencies and departments that will facilitate data collection and information transmission and sharing, and eliminate redundant systems.
- (4) Establishment of one, common data collection system that allows access to data as needed by respective city agencies and departments to investigate and prosecute domestic violence cases, while preserving the confidentiality and security of the data and information.
- (5) Assessment of current policies, procedures, and processes for administering domestic violence cases and develop updated policies, procedures, and processes.
- (6) Promulgation of written rules and regulations that provide useful information for managing, tracking, and accounting for domestic violence cases.
- (7) Development of domestic violence performance metrics and data between city agencies and departments that allow the organizations to benchmark and evaluate their performance, determine how well goals are being achieved, manage their workload, and justify the need for resources.
- (8) Development of unified domestic violence terms, itemize the categories to be reported under domestic violence, and provide consistent and uniform definitions, terms, and jargon that facilitates domestic violence reporting and communications.
- (9) Development of reporting parameters for periodic, formal, and regular reports on domestic violence incidents that use consistent and regular categories (such as HRS Section 709-906 related incidents) that will allow for the monitoring and tracking of the number and type of domestic violence cases. The reports must provide reliable, complete, accurate, and consistent domestic violence data that segregates the domestic violence categories under HRS Section 709-906 from the categories that fall under other sections of the HRS (e.g., attempted murder, kidnapping, and robbery).



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SECTION 3. This ordinance takes effect upon its approval.

INTRODUCED BY:

*Chen H. Kobayashi*  
*Carol F. Johnson*

DATE OF INTRODUCTION:

**APR 11 2019**

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

*Kurt Y. Nakamatsu* **KURT Y. NAKAMATSU**

Deputy Corporation Counsel

APPROVED this 23<sup>rd</sup> day of June, 20 19.

*Kirk Caldwell*  
KIRK CALDWELL, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE 19 - 11

BILL 21 (2019)

Introduced: 04/11/19 By: ANN KOBAYASHI  
CAROL FUKUNAGA Committee: EXECUTIVE MATTERS  
AND LEGAL AFFAIRS

Title: A BILL FOR AN ORDINANCE ESTABLISHING A CITY DOMESTIC VIOLENCE PROGRAM.

Voting Legend: \* = Aye w/Reservations

04/17/19	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS. 9 AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI.
04/23/19	EXECUTIVE MATTERS AND LEGAL AFFAIRS	CR-127 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING. 7 AYES: ANDERSON, ELEFANTE, FORMBY, KOBAYASHI, MANAHAN, MENOR, TSUNEYOSHI. 2 EXCUSED: FUKUNAGA, PINE.
04/27/19	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER. NOTE: COUNCILMEMBER WATERS TOOK OFFICE ON MONDAY, MAY 6, 2019.
05/08/19	COUNCIL/PUBLIC HEARING	CR-127 ADOPTED. BILL PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI, WATERS.  CC-173 ANDERSON - COUNCIL STANDING COMMITTEE ASSIGNMENTS.
05/15/19	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
05/21/19	EXECUTIVE MATTERS AND LEGAL AFFAIRS	CR-171 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING. 7 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, WATERS. 2 EXCUSED: PINE, TSUNEYOSHI.
06/05/19	COUNCIL	CR-171 ADOPTED AND BILL 21 (2019) PASSED THIRD READING. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI, WATERS.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

  
GLEN I. TAKAHASHI, CITY CLERK

  
IKAIKA ANDERSON, CHAIR AND PRESIDING OFFICER